

enjoined during the pendency of this action, from engaging in, committing, or performing directly and indirectly, any and all of the following acts:

- A. Disseminating or utilizing for any purpose, except as necessary for the defense of this action, information, documents or any data received from the plaintiffs, Encore Operating LP or William A. Stewart, d/b/a William A. Stewart & Associates or their agents and employees;
- B. Conducting any land title work or oil and gas leasing in the Prospect Area in Bowman County, North Dakota, and Fallon County, Montana, until further order of the Court; and
- C. Discarding, destroying or deleting any documents related to the Prospect Area that are in the Defendants' possession or under their control including any documents, data, or information received from either of the Plaintiffs or their agents or employees.

IT IS FURTHER ORDERED that pending the hearing and a determination of the foregoing Order to Show Cause, and continuing thereafter, the Defendants and their counsel, agents, or representatives, shall be preliminarily enjoined from engaging in, committing, or performing directly and indirectly, any and all of the following acts:

- A. Disseminating or utilizing for any purpose, except as necessary for the defense of this action, information, documents or data of any sort received from the plaintiffs, Encore Operating LP or William A. Stewart, d/b/a William A. Stewart & Associates, or their agents and employees;

- B. Conducting, until further order of the Court, any land title work or oil and gas leasing in the Prospect Area in Bowman County, North Dakota, and Fallon County, Montana, described as:

Bowman County, North Dakota

Township 129 North, Range 106 West

Township 129 North, Range 107 West

Fallon County, Montana

Township 3 North, Range 61 East

Township 3 North, Range 62 East

Township 4 North, Range 60 East

Township 4 North, Range 61 East

Township 4 North, Range 62 East

Township 5 North, Range 60 East; and

- C. Discarding, destroying or deleting any documents related to the Prospect Area that are in the Defendants' possession or under their control including documents, data or information received from either of the Plaintiffs or their agents or employees.

IT IS FURTHER ORDERED that pending the hearing and a determination of the foregoing Order to Show Cause, and continuing thereafter, the Defendants shall have access to and keep the affidavits of Linda Johansson, Kent Reiersen and Mark Carter along with this Ex Parte Temporary Restraining Order confidential and shall not share, disseminate or provide such pleadings to any other person or entity other than their attorneys and other co-defendants.

IT IS FURTHER ORDERED that pending the hearing and a determination of the foregoing Order to Show Cause, and continuing thereafter, the affidavits of Linda Johansson, Kent Reiersen and Mark Carter along with this Ex Parte Temporary Restraining Order, shall remain sealed from the public pending a determination of the underlying action unless ordered disclosed by the Court.

IT IS FURTHER ORDERED that the bond filed with the Clerk of Court in the amount of \$10,000 by Encore as security for payment of costs and damages suffered by any party who is found to have been wrongfully enjoined or restrained shall remain in effect until further order of the Court.

Dated this 19th day of December, 2006.

/s/ Daniel L. Hovland

Daniel L. Hovland, Chief Judge
United States District Court